

HOUSE VOTERS AND ELECTIONS COMMITTEE SUBSTITUTE FOR
HOUSE BILL 91

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

AN ACT

RELATING TO ELECTIONS; AMENDING THE REQUIREMENTS FOR ALTERNATE
EARLY VOTING LOCATIONS ON INDIAN NATION, TRIBAL OR PUEBLO
LANDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. A new section of the Election Code is enacted
to read:

"~~[NEW MATERIAL]~~ EARLY VOTING--NATIVE AMERICAN EARLY VOTING
LOCATIONS.--A county clerk shall provide at least one alternate
early voting or mobile alternate voting location on Indian
nation, tribal or pueblo land when requested by the Indian
nation, tribe or pueblo in the county; provided that:

A. the Indian nation, tribe or pueblo submits a
written request to the county clerk no later than the first
Monday in November of each odd-numbered year;

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underscored material = new
[bracketed material] = delete

1 B. the alternate early voting or mobile alternate
2 voting location may operate for less than the full early voting
3 period, to be decided upon between the Indian nation, tribe or
4 pueblo and the county clerk;

5 C. the county clerk may limit voting to precincts
6 on and near the Indian nation, tribe or pueblo;

7 D. the location of the alternate early voting or
8 mobile alternate voting location on Indian nation, tribal or
9 pueblo land conforms to the requirements for alternate early
10 voting locations, except as specified in this section;

11 E. the county clerk provides federally mandated
12 language translators at the alternate early voting or mobile
13 alternate voting locations;

14 F. the Indian nation, tribe or pueblo provides the
15 facility and services for the alternate early voting or mobile
16 alternate voting location; and

17 G. the costs of voting equipment and personnel for
18 the alternate early voting or mobile alternate voting locations
19 on Indian nation, tribal or pueblo land pursuant to this
20 section are reimbursed to the county by the secretary of
21 state."

22 Section 2. Section 1-6-5.6 NMSA 1978 (being Laws 2003,
23 Chapter 357, Section 6, as amended) is amended to read:

24 "1-6-5.6. EARLY VOTING--ALTERNATE VOTING LOCATIONS--
25 PROCEDURES.--The secretary of state shall adopt rules to:

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1 A. ensure that voters have adequate access to
2 alternate locations for early voting in each county, taking
3 into consideration population density and travel time to the
4 location of voting;

5 B. ensure that early voters are not allowed to vote
6 in person on election day;

7 C. ensure that adequate interpreters are available
8 at alternate early voting locations in those precincts having a
9 majority of qualified electors who are part of a recognized
10 language minority; and

11 D. allow for mobile alternate voting locations in
12 rural areas of the state that may be set up temporarily in
13 specified precincts of the county during the period when early
14 voting is allowed at alternate voting locations [and].

15 ~~[E. require county clerks to provide at least one~~
16 ~~alternate early voting location on Indian nation, tribal or~~
17 ~~pueblo land when requested by the Indian nation, tribe or~~
18 ~~pueblo if that Indian nation, tribe or pueblo is more than~~
19 ~~fifteen miles from an office of the county clerk.]"~~

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